

(c) ***Motion to Seal or Otherwise Restrict Public Access.*** A party's request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation "Motion to Seal." The motion must set forth:

- (1) A non-confidential description of the material sought to be sealed;
- (2) A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
- (3) Unless permanent sealing is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and
- (4) Supporting statutes, case law, or other authority.

LCvR 6.1. It appears that the requirements of LCvR 6.1(c)(1) through (4) have been adequately met.

By the instant motion, Plaintiff seeks to seal the Subservicing Agreement (Document No. 97-12) that it filed as an exhibit to "Plaintiff's Brief In Opposition To Cenlar's Consolidated Motions *In Limine*" (Document No. 97). (Document No. 99). Plaintiff contends that the Subservicing Agreement "contains the business terms and requirements under which Cenlar serviced loans that were originated by First Citizens," and Cenlar produced the document during discovery and "designated [the Subservicing Agreement] as 'confidential' pursuant to the Protective Order." (Document No. 99, pp. 1-2). Furthermore, Plaintiff contends that it "inadvertently" filed the document without sealing it, and now "Cenlar is requesting the Plaintiff to correct this error." *Id.* at p. 2.

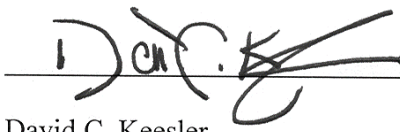
Having considered the factors provided in LCvR 6.1(c), the Court will grant the motion to seal. Noting that the time for public response has not run to this motion, the Court will consider any objection to this Order from non-parties as an objection to the motion, requiring no additional

burden for any non-party under the Federal Rules of Civil Procedure. See Local Rule 6.1(e).

IT IS, THEREFORE, ORDERED that “Plaintiff Ricky D. Jones[’] Motion To File Excerpts Of Subservicing Agreement Under Seal” (Document No. 99) is **GRANTED**. Document No. 97-12 shall remain under **SEAL** until otherwise ordered by this Court.

SO ORDERED.

Signed: November 1, 2022



David C. Keesler
United States Magistrate Judge

